

APR - 5 2006

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISIONCLERK  
U. S. DISTRICT COURT  
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA )

v. )

CRYSTAL DENISE PHILLIPS )

CR. NO. 2:05cr268-WHA[18 USC 1341;  
18 USC 3147;  
18 USC 2]SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT 1

1. At all times relevant to this Indictment, the defendant CRYSTAL DENISE PHILLIPS was a resident of Montgomery, Alabama.

2. From in or about September 2005 through on or about December 19, 2005, in the Middle District of Alabama, and elsewhere, the defendant,

CRYSTAL DENISE PHILLIPS,

aiding and abetting and aided and abetted by others known and unknown to the grand jury, did devise and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, which scheme and artifice is described in substance below.

3. On or about September 21, 2005, PHILLIPS caused to be filed with the Federal Emergency Management Agency (“FEMA”), an agency within the United States Department of Homeland Security, an application for benefits in connection with Hurricane Katrina (the “First Application”), which falsely represented that PHILLIPS had suffered losses to a property she rented as her principal residence in Harvey, Louisiana. In fact, PHILLIPS did not reside in Louisiana and did not suffer the losses claimed.

4. On or about September 22, 2005, in response to the First Application, FEMA caused a United States Treasury check in the amount of \$2000 (the "First Check") to be mailed to PHILLIPS in Montgomery, Alabama.

5. On or about September 24, 2005, PHILLIPS attempted unsuccessfully to cash the First Check at a check cashing store. The check cashing store retained the identification that PHILLIPS provided—a State of Alabama identification card—and turned it over to law enforcement authorities.

6. On or about September 25, 2005, PHILLIPS caused to be filed with FEMA an application for benefits in connection with Hurricane Katrina (the "Second Application"), which falsely represented that PHILLIPS had suffered losses to a property she rented as her principal residence in Harvey, Louisiana. In fact, PHILLIPS did not reside in Louisiana and did not suffer the losses claimed.

7. On or about September 30, 2005, PHILLIPS applied for and obtained a replacement Alabama identification card.

8. On or about December 13, 2005, in response to the Second Application, FEMA caused a United States Treasury check in the amount of \$2000 (the "Second Check") to be mailed to PHILLIPS in Montgomery, Alabama.

9. On or about December 19, 2005, PHILLIPS caused the Second Check to be cashed at a Wal Mart store in Prattville, Alabama.

10. On or about September 22, 2005, in Montgomery County, within the Middle District of Alabama, and elsewhere,

CRYSTAL DENISE PHILLIPS,

for the purpose of executing the above described scheme and artifice and attempting to do so knowingly and willfully placed and caused to be placed in a post office and authorized depository for mail, and took and received therefrom, a United States Treasury check payable to "Crystal Phillip" in the amount of \$2,000, mailed to Montgomery, Alabama, in violation of Title 18, United States Code, Sections 1341 and 2.

**COUNT 2**

1. The allegations set forth in paragraphs 1 through 10 of Count 1 of this Indictment are hereby realleged as if set forth herein.
2. On or about November 15, 2005, an indictment was returned against PHILLIPS in the United States District Court for the Middle District of Alabama, Case No. 2:05cr268-WHA, relating to the First Application.
3. On or about November 21, 2005, PHILLIPS was released on a \$25,000 unsecured appearance bond pursuant to the provisions of Title 18, United States Code, Chapter 207.
4. On or about December 13, 2005, in Montgomery County, within the Middle District of Alabama, and elsewhere,

**CRYSTAL DENISE PHILLIPS,**

while released on an unsecured appearance bond pursuant to the provisions of Title 18, United States Code, Chapter 207, for the purpose of executing the above described scheme and artifice and attempting to do so knowingly and willfully placed and caused to be placed in a post office and authorized depository for mail, and took and received therefrom, a United States Treasury check payable to "Crystal Phillips" in the amount of \$2,000, mailed to Montgomery, Alabama, in violation of Title 18, United States Code, Sections 1341, 3147, and 2.

A TRUE BILL:

Jayne D. Gilbert  
Foreperson

Leura G. Canary  
LEURA G. CANARY  
United States Attorney

Andrew O. Schiff  
Andrew O. Schiff  
Assistant United States Attorney